

my dear wife, during her natural life, and at her death to dispose of the same in any manner she may think proper. And I further will and bequeath unto my said wife, my entire stock of every description and kind whatsoever, together with all my household and kitchen furniture, and farming tools and implements, and all other species of property, rights and credits, which may not be herein enumerated, I do most willingly, and of my own free will, bequeath unto my dear wife, by her to be used and disposed of as she may think proper, to and for her own use and benefit forever. I do farther will that my intentions specified in this my last will and testament, be carried out and not prevented by any want of any technical form:" *Held*, that taking the whole will together, it was the intention of the testator to give an absolute estate in the property to his wife, restraining her power of alienation as to the land and negroes during her lifetime, and at her death to dispose of the same as she might think proper. *Hollingshed, adm'r, vs. Alston*, 277.

NOTICES OF NEW BOOKS.

A Practical Treatise on the Law of Covenants for Title. By William Henry Rawle. Second edition, revised and enlarged. Philadelphia: T. & J. W. Johnson, Law Publishers and Booksellers. 1854; pp. 771.

Upon the publication of Mr. Rawle's first edition, the Editors of the *American Law Journal*, Vol. XI, p. 431, took occasion to speak of its value in terms of the highest commendation. It was then a book wholly unknown, and its author, out of Philadelphia, no less unknown as the sound, thorough and practical lawyer that his labors have shown him to be. The Editors of the *Journal* then stated that an examination of the volume had satisfied them that it was one of the very best books that had been laid on their table for a long time; that the arrangement was good, the style lucid, the matter elaborated and carefully sifted, the authorities fully collected, analyzed and duly set forth. The profession have affirmed the judgment thus passed, with unusual unanimity, a new edition being now, in less than two years, called for and presented.

The new edition is, we think, in every respect superior to the old. The learned author tells us that he has bestowed much pains on it by carefully revising, rewriting, analyzing and fully illustrating many parts by numerous

recent authorities. A careful examination will show that this statement is just, and in the enhanced value of the author's labors, the profession have great reason to rejoice. It may be considered that this branch of learning at this moment by the late labors of Mr. Rawle is completely and satisfactorily given to the bar; that in the way of principle, case and illustration, a fuller and better presentation of any abstruse learning could with difficulty be found anywhere, either in England or in this country, and no lawyer who is called upon to investigate titles, will venture to be without a copy for his daily use.

The Code of Procedure of the State of New York, as amended April 16, 1852, with copious notes and references, and an Appendix containing the recent rules of the Court of Appeals, Supreme Court, etc. Voorhies' third edition. New York: John S. Voorhies, Law Bookseller and Publisher. pp. 582.

Supplement to the second and third editions of Voorhies' Annotated Code, containing all the Decisions and Rules of Court since the publication of the second edition of said Code, the Assignments of Terms, Circuits, etc. For the years 1854 and 1855. New York: John S. Voorhies, Law Bookseller and Publisher. 1854; pp. 328.

We do not hold ourselves to be very good judges of the practice under the New York Code, but the mere fact that this book, in a very brief space of time, has run through three editions, is better commendation than any praise that we can bestow, because it is the practical sense of the profession who daily use it. Since the publication of the third edition, numerous important questions have been decided, and several new rules of court adopted, all of which have been collected and arranged in the Supplement recently published by Mr. Voorhies under the title standing at the head of this notice, by the aid of which Supplement, those possessing a copy either of the second or third edition of the "Annotated Code" will be in possession of all the decisions and rules up to the present time.

The importance and value of these volumes become very great in the States of Missouri, Ohio, Indiana and California, all of which have adopted the New York Code, and practise it in their Courts; and our subscribers in those States will be glad to learn that Mr. Voorhies has published this new and complete edition.

Reports of Cases argued and determined in the Surrogate's Court of the County of New York. By Alexander W. Bradford, L. L. D., Surrogate; Vol. II. New York: John S. Voorhies, Law Bookseller and Publisher. 1854; pp. 541.

It sometimes happens in the course of our editorial labors that a volume of Reports is presented of singular interest and excellence. Such is this volume, and the former one of Mr. Surrogate Bradford, of New York City. Called upon to administer the law in cases of the deepest interest, involving the nicest application of legal principles, and the clearest discrimination of facts, his task was one of great responsibility and difficulty. Questions of infancy, guardians, marriage, divorce, wills, decedents' accounts, heirs, creditors, distribution, next of kin, &c., interest perhaps, nearly every man in a well regulated and prosperous community, if, as is said, all personal property passes through the Orphans' and Surrogates' Courts once in thirty years.

Mr. Bradford's first volume was the first volume of Surrogate Reports ever published in America, and Mr. Bradford himself is, we believe, the first Surrogate elected by the people, that ever sat in a New York Court. His field is, therefore, broad and new, and he could gather from it any harvest that might spring up, and that he had talent to appropriate, garner and winnow into grain. It is pleasant to know that these suggestions seem to have occurred to the reporter. The mode of reporting is excellent. All extraneous matters are carefully weeded out. The arguments of counsel, so often disregarded by reporters, are here, where necessary, given with the point in dispute, and its cluster of authorities. No attempt is made by printing entire briefs to swell the magnitude of the case, and thus increase the cost of the volume, without adding to its real worth. An earnest desire seems to have guided the Surrogate in his selections of cases, to avoid all that were unimportant, useless or involved nothing new in principle or in application of established law—hence the volume is wholly free from the fault so common in many of our state reports, of containing cases, the points in which have not been seriously disputed for generations, a fault by no means always to be charged to the reporter, but to the rule that obliges him to print all that has been decided by the Court. It has seldom been our pleasure to read a volume of Reports such as Mr. Bradford's, the subject matter and the execution of which both demand and have an approbation merited equally by worth and modesty.